FBI Faced Quandary Over Director's Requests

Managers Put in Awkward Spot, Report Says

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A scathing ethics report on FBI Director William S. Sessions portrays a bureaucracy in conflict over how much to accommodate what the report called improper use of FBI resources.

Sessions and his wife, Alice, repeatedly put the FBI managers in the perplexing position of either bending the rules or denying the couple what they wanted, according to the report released Tuesday by the Justice Department.

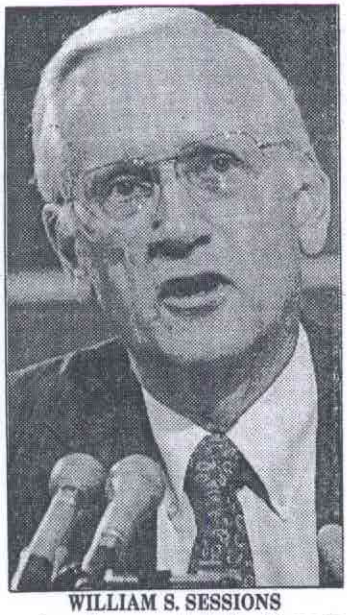
The 161-page ethics report recounts how the FBI legal counsel had to make last-minute decisions on the propriety of Alice Sessions's travel; how an FBI official in Paris, on Sessions's instructions, acted as "a traveler's aid" bureau for the director's personal acquaintances; and how a ranking FBI official set up receptions and breakfasts that helped justify FBI payment for Sessions's holiday travel.

Nowhere are the strains within the bureau more apparent than on the issue of the fence around the Sessions's house, a topic of FBI meetings and memos for at least 1½ years, according to the report by the Office of Professional Responsibility (OPR).

What type of fence to put up was not a petty question because the FBI was picking up the bill as a necessary security expense. Security experts, including one picked by Alice Sessions, agreed on an iron picket style because no one could hide behind it, OPR said.

But Alice Sessions, supported by her husband, insisted on a wooden privacy fence that would blend in more with his exclusive Washington neighborhood, the report said. The director's wife said an iron fence would allow passersby to view her husband barbecuing or playing with the dog in the backyard, OPR said.

Sessions tried to pass off top FBI officials to his wife, but Deputy Director Floyd I. Clarke and former Sessions aide John McKay resisted, the report said. So did another FBI official, unnamed in the report, who refused to send copies of FBI security memos to Alice Sessions, as she insisted.



WILLIAM S. SESSIONS
. . . home fence was topic for 1½ years

"No one . . . wanted to deal with Mrs. Sessions's demands," McKay told OPR. But opposing her apparently carried a price, according to the report. McKay told OPR that Sessions removed him from the security project after he wrote him a memo saying aesthetics should not determine the fence style and Alice Sessions should be briefed only after FBI officials talked to the director.

Clarke and Weldon L. Kennedy, assistant FBI director for administration, both held out for a security fence, the report said. Although Clarke specifically asked to brief Sessions, he and Kennedy ended up making their arguments to Sessions's wife in a two- to three-hour meeting in the director's conference room. Sessions walked in and out, missing much of the briefing, the report said.

When the Persian Gulf War erupted, intensifying concerns about Sessions's safety, Kennedy finally approved a wooden fence if the slats were spaced far apart enough to see through. Kennedy told OPR it was "a reasonable compromise with Alice Sessions." De-

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Report Cites Pressure Felt By FBI Aides

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spite Kennedy's action, the FBI ended up paying $9,890 for a wooden privacy fence that blocked any view, the OPR said.

Kennedy repeatedly insisted on competitive bidding, but John Hartingh, Sessions's former special assistant, engineered a sole-source contract to Long Fence Co., the report said. An unnamed FBI official, unbeknownst to Sessions, created a phony procurement file containing three bids to show the Justice Department's inspector general.

Clarke was more successful in holding down the amount paid to a security consultant selected by Alice Sessions, according to the report. The consultant was the husband of Sessions's executive assistant at the time, Sarah W. Munford.

Don Munford submitted a bill for $18,016, but Clarke approved payment of only $5,822. Even that amount was "a premium" for work that the FBI could have performed, OPR said. Still, Sessions was upset at how Munford was treated, according to an OPR interview with an unnamed FBI official who recounted a discussion with Hartingh.

Perhaps the FBI official most on the spot, according to OPR's report, was Joseph R. Davis, assistant director in charge of the FBI's legal section. He was confronted with requests for last-minute approval of Alice Sessions's travel on FBI aircraft—once only 67 minutes before the plane took off, the report said.

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—former aide John McKay

On other occasions, he was never even consulted, OPR said. Sarah Munford told OPR that Davis approved the use of the director's frequent flyer miles—an official FBI benefit—to cover personal travel by Alice Sessions. But Davis said Munford never talked to him about it.

Davis accurately advised Sessions that he could not carry unauthorized passengers in his FBI limousine—a warning Sessions ignored, according to OPR.

But on the issue of whether Sessions had to pay taxes on the benefit of limousine service to and from work, Davis's advice was "transparently wrong," Attorney General William P. Barr said in a letter to Sessions Friday, the day Barr resigned. Even so, Sessions did not abide by the conditions that Davis imposed for claiming a tax exemption, OPR found.

At least some agents who provide security and transportation clearly complained to OPR about orders from Alice Sessions to load firewood or to take her to the hairdresser or to get her nails done.

An FBI pilot told OPR he did not particularly want to refuel in Fort Smith, Ark., where the director's father lives. Sessions ordered the plane stopped there on his father's birthday in July 1992. The elder Sessions met the director at the airport carrying a birthday cake, OPR said.

Richard W. Held, special agent in charge of the San Francisco office, had special contact with Sessions partly because Sessions's daughter lives in San Francisco, OPR said. Held "took it upon himself" to assign two agents to get to know the teenager, who lived in what Held considered a "rough" neighborhood, the report said.

Held told OPR that for three years, he arranged breakfasts, receptions and other official functions in San Francisco over the Christmas holidays. He said he scheduled the official events after Sessions planned his visits, bolstering OPR's conclusion that the primary purpose of the trips was personal.